

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Operating Engineers Local #49 Health and
Welfare Fund and Central Pension Fund of the
International Union of Operating Engineers and
Participating Employers, Local #49 International Union
of Operating Engineers and Associated General
Contractors of Minnesota Apprenticeship and Training
Program, and their Trustees,

Civil No. 09-2739 (RHK/SRN)

Plaintiffs,

vs.

ORDER FOR DISMISSAL

Gustafson Excavating, Inc. and
Dennis Gustafson, individually,

Defendants.

Pursuant to the Notice of Voluntary Dismissal (Doc. No. 2), **IT IS ORDERED**
that this matter is hereby **DISMISSED WITHOUT PREJUDICE** and without costs to
either party.

Dated: October 26, 2009

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge